

Michael Clauso
SBI 8507008
DISTRICT OF NEW JERSEY
RECEIVED

Northern State Prison 30

Po Box 2300

OCT 15 2020

Newark, NJ 07114

AT 8:30 M
WILLIAM T. WALSH, CLERK

10-14-20

Re: Clauso v. Corr. Officer, et al.

Dear Judge Bomb: Docket No. 20-7056-EMB-JS

Please accept this letter as a motion for reconsideration of your 9-15-20 Order dismissing my Complaint without prejudice and denying me in forma pauperis status.

I understand that you considered joinder of my two cases as inappropriate; however I think you should have considered the motion as a motion to Amend the Complaint. Federal Rule of Civil Procedure 15 (I think) says that a plaintiff is free to amend the Complaint at any time before the Defendants answer. If you had considered the additional allegations as amendments rather than as joinder of two cases, I would have stated a claim, and my case would not have been dismissed.

Please, you must construe the pleadings of pro se litigants with leniency, so even though I posed my request for relief as a joinder, it should have been construed as an amendment to help save my case.

Also, I thank your conclusion that I didn't explain how the driving is reckless is not accurate. I am a 175lb man. ~~It wasn't flying at my~~ I was not strapped to my seat and my arms and legs were checked so that I had no way to protect myself in the event of an accident. Thus should have put the driver on notice that he needed to drive very slowly because if the inmates go flying in a short stop, they are going to crash into the partition unless the VAN moves very slowly. The fact that I, a 175lb man went flying during the short stop bespeaks recklessness on the part of the driver and the Senior officer crying him onward.

Michael Clauss
Michael Clauss

Sincerely,

Dismissal even without prejudice is
a very severe consequence for me because
I'm in prison and don't have the
money to re-file another complaint.
I have taken the step of combining
the allegations from both complaints
into one. Please accept this
an amendment or reconsideration.